



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/719,015	12/06/2000	Yoshihito Ishibashi	09812.0635-00000	3145
22852	7590	06/07/2006	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			HOFFMAN, BRANDON S	
			ART UNIT	PAPER NUMBER
			2136	

DATE MAILED: 06/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/719,015	Applicant(s) ISHIBASHI ET AL.	
	Examiner Brandon S. Hoffman	Art Unit 2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 8-13 are pending in this office action.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 24, 2006, has been entered.

Response to Arguments

3. Applicant's arguments with respect to claims 8-13 have been considered but are moot in view of the new ground(s) of rejection.

Rejections

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior office action.

Claim Rejections - 35 USC § 102

5. Claims 8-10 and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Matsuzaki et al. (U.S. Patent No. 6,289,314).

Regarding claim 8, Matsuzaki et al. teaches an information processing system for processing media contents from a content provider, comprising:

- At least one information processing apparatus for processing accounting information (fig. 2, ref. num 3 and col. 16, lines 3-21, the accounting information is parameters like the coefficient of charge, which are then processed by the terminal in order to properly descramble the scrambled content);
- A control apparatus configured to enable the flow of said media contents from said content provider directly to said at least one information processing apparatus (fig. 2, ref. num 2 and col. 14, lines 35-41); and
- A master information processing apparatus in communication with said at least one information processing apparatus and said control apparatus (fig. 2, ref. num 2), said master information processing apparatus including:
 - A first transmitter to transmit appropriate proxy account settlement information to said at least one information processing apparatus (col. 14, lines 38-41, fig. 3, ref. num 254, and fig. 3, output "TO SECOND CHARGE MANAGING PORTION 223");
 - A first receiver to receive said accounting information from said at least one information processing apparatus sent in response to said proxy account settlement information (col. 15, lines 12-36, fig. 3, ref. num 251/252, fig. 5, and fig. 3, input "FROM SERVER I/F 24"),
 - Said accounting information related to payment for said media contents (col. 15, lines 24-30),

- Said media contents received directly by said at least one information processing apparatus from said content provider (col. 14, lines 35-38),
- Said first receiver generating payment information when said accounting information is processed (col. 16, lines 3-21);
- A second transmitter to transmit said payment information to said control apparatus (fig. 2, ref. num 212 transmits information to the INTERNAL SCRAMBLER 23 and then to the SERVER I/F 24, where the data can go to the TERMINAL MANAGING PORTION 25 or the end terminals 3); and
- A second receiver to receive registration conditions from said control apparatus (fig. 2, ref. num 221, received from the TERMINAL MANAGING PORTION 25, which obtained information from the end terminal 3),
 - Said registration conditions prepared in response to receiving said payment information from the master information processing apparatus that settles payment for media contents received directly by said at least one information processing apparatus (col. 16, lines 34-59).

Regarding claim 13, Matsuzaki et al. teaches a method for controlling the flow of media contents from a content provider to at least one information processing apparatus, comprising:

- Enabling the flow of said media contents from said content provider directly to said at least one information processing apparatus, which processes accounting information (fig. 2, ref. num 2 and col. 14, lines 35-38 and col. 16, lines 3-21, the accounting information is parameters like the coefficient of charge, which are then processed by the terminal in order to properly descramble the scrambled content); and
- Controlling communication between a master information processing apparatus and said at least one information processing apparatus (fig. 2, ref. num 24 and 25), including:
 - Transmitting appropriate proxy account settlement information from said master information processing apparatus to said at least one information processing apparatus (col. 14, lines 38-41, fig. 3, ref. num 254, and fig. 3, output "TO SECOND CHARGE MANAGING PORTION 223");
 - Receiving said accounting information at said master information processing apparatus from said at least one information processing apparatus sent in response to said proxy account settlement information (col. 15, lines 12-36, fig. 3, ref. num 251/252, fig. 5, and fig. 3, input "FROM SERVER I/F 24"),
 - Said accounting information related to payment for said media contents (col. 15, lines 24-30),
 - Said media contents received directly by said at least one information processing apparatus from said content provider (col. 14, lines 35-41);

Art Unit: 2136

- Generating payment information when said accounting information is processed at said master information processing apparatus (col. 16, lines 3-21);
- Transmitting said payment information to said content provider (fig. 2, ref. num 212 transmits information to the INTERNAL SCRAMBLER 23 and then to the SERVER I/F 24, where the data can go to the TERMINAL MANAGING PORTION 25 or the end terminals 3); and
- Receiving registration conditions from said content provider (fig. 2, ref. num 221, received from the TERMINAL MANAGING PORTION 25, which obtained information from the end terminal 3),
 - Wherein the registration conditions are prepared in response to receiving said payment information from the master information processing apparatus that settle payment for media contents received directly by said at least one information processing apparatus (col. 16, lines 34-59).

Regarding claim 9, Matsuzaki et al. teaches wherein said control apparatus includes a service provider (col. 1, lines 13-15).

Regarding claim 10, Matsuzaki et al. teaches wherein said information processing system includes an electronic music distribution system (col. 1, lines 9-13).

Claim Rejections - 35 USC § 103

Art Unit: 2136

6. Claim 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuzaki et al. (U.S. Patent No. 6,289,314) as applied to claim 8 above

Regarding claims 11 and 12, Matsuzaki et al. teaches all the limitations of claim 8, above. However, Matsuzaki et al. does not teach wherein said first transmitter transmits said appropriate proxy account settlement information to said at least one information processing apparatus over a local-area network and wherein said second transmitter in said master information processing apparatus transmits said accounting information to said control apparatus over a wide-area network.

Although Matsuzaki et al. does not teach the limitations of claims 11 and 12, it is well known in the art to use any number of ways to communication information from one device to the next. Some ways that are well known are over a local bus, as in the Matsuzaki et al. reference, over cable, wireless transmission, POTS, LAN, WAN, or any other hierarchy that allows multiple devices to communicate.

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to use a LAN for communication of the proxy account settlement information to the information processing apparatus and a WAN for communication of the accounting information to the control apparatus. It would have been obvious to perform these actions because a LAN and WAN both allow communications to occur

between devices which are physically separated, thus allowing the communications to be more functional and involve a broader range of devices.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon S. Hoffman whose telephone number is 571-272-3863. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Brandon S. Hoffman

BH

Ayaz R. Sheikh

AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100